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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,691	12/26/2001	Ming Hsun Lin	MR2349-764	6051

4586 7590 05/12/2004

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/025,691

**Applicant(s)**

LIN, MING HSUN

**Examiner**

Raymond S Dean

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 2 and 4 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shamlou et al. (US 6,690,949 B1) in view of Hewitt (5,095,308).

Regarding Claim 1, Shamlou teaches a battery cap and wireless transmitter -receiver circuit assembly for mobile telephone comprising: a battery cap covered on a mobile telephone (Figure 3, Figure 7, Column 8 lines 48 – 51); a battery installed in said battery cap (Figure 7, Column 8 lines 48 – 51, since it is a battery pack there is an inherent battery); a wireless transmitter-receiver circuit installed in said battery cap (Figure 3, Figure 7, Column 5 lines 19 – 67, Column 6 lines 1 – 67, Column 7 lines 1 – 14, Column 8 lines 48 – 51, the replaceable module is the transmitter – receiver circuit), said wireless transmitter- receiver circuit comprising a signal line adapted for connection to a voice signal input/output jack in said mobile telephone for enabling said mobile telephone to communicate with a remote wireless transmitter-receiver device (Figure 3, Figure 7, Column 5 lines 23 – 26, the voice signals are transmitted on the transmit path

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for transmission to another cellular phone thus there is an inherent signal line adapted for connection to a voice signal input/output jack for the transmission of said voice signals).

Shamlou does not teach an on/off switch installed in said battery cap and adapted for controlling the operation of said wireless transmitter-receiver circuit.

Hewitt teaches an on/off switch adapted for controlling the operation of said wireless transmitter-receiver circuit (Figure 3, Column 6 lines 32 – 47).

Shamlou and Hewitt both teach a wireless phone with a battery pack for providing power to said wireless phone thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the on/off switch taught above in Hewitt in the wireless phone of Shamlou for the purpose of providing a battery saver feature that prevents deep discharge thus limiting battery drain.

Regarding Claim 2, Shamlou in view of Hewitt teaches all of the claimed limitations recited in Claim 1. Shamlou further teaches wherein said battery cap comprises a charging jack electrically connected to the battery installed in said battery cap and adapted for receiving a battery charger to charge the battery installed in said battery cap (Column 3 lines 39 – 58, this is a standard cellular phone, which means that said standard cellular phone has a rechargeable battery pack, thus this is an inherent characteristic).

Regarding Claim 4, Shamlou in view of Hewitt teaches all of the claimed limitations recited in Claim 1. Shamlou further teaches an electrically insulative sealing cover fastened to a backside of said battery cap and covered on said

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wireless transmitter-receiver circuit (Figure 7, Column 8 lines 48 – 51, the topside section of the handset (86) is the electrically insulative sealing cover).

Regarding Claim 5, Shamlou in view of Hewitt teaches all of the claimed limitations recited in Claim 1. Shamlou further teaches wherein the battery installed in said battery cap is a rechargeable storage battery (Column 3 lines 39 – 58, this is a standard cellular phone, which means that said standard cellular phone has a rechargeable battery pack, thus this is an inherent characteristic).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shamlou et al. (US 6,690,949 B1) in view of Hewitt (5,095,308) and in further view of Chiang (5,864,766).

Regarding Claim 3, Shamlou in view of Hewitt teaches all of the claimed limitations recited in Claim 1. Hewitt further teaches indicating the working status of said wireless transmitter – receiver circuit (Figure 3, Column 6 lines 32 – 47, the fact that the switch can be on/off means that transmitter – receiver circuit will be working/not working thus there is an inherent indication of a working status of said transmitter – receiver circuit).

Shamlou in view of Hewitt does not teach an indicator light.

Chiang teaches an indicator light (Figure 1, Column 3 lines 13 – 15).

Shamlou in view of Hewitt and Chiang teach a wireless phone with an integrated battery pack thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the indicator light taught above in Chiang in the wireless phone of Shamlou in view of Hewitt for the purpose of

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alerting a user of said wireless phone that there is a message waiting for said user.

**Conclusion**

4. Any inquiry concerning this communication should be directed to Raymond S. Dean at telephone number (703) 305-8998.

If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology center 2600 only)

Hand – delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377



  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**